

Appl. No. 09/775,321
Amdt. Dated May 20, 2004
Reply to Office Action of February 23, 2004

Remarks & Arguments

In the Office Action, the Examiner noted that Claims 1-3, 5-10, 12-16 and 18-22 are pending in the application, and that Claims 1-3, 5-10, 12-16 and 18-22 are rejected. By this amendment, Claims 1, 8, 15 and 21 have been amended. Thus, Claims 1-3, 5-10, 12-16 and 18-22 are pending in the application. The amendments to the claims do not add new matter to the application. The Examiner's rejections are traversed below.

Rejections Under 35 USC 102 and 103

Claims 1, 2, 5, 7-9, 12, 14-16, 18 and 20-22 stand rejected under 35 U.S.C. 103(a) as being obvious in view of the combination of Schuster et al (US: 6584490) and Miner et al (US:6047053). With regard to independent Claims 1, 8, 15 and 21, the rejection acknowledges that Schuster fails to teach "the selection of the destination is in response to a receipt of a date book alarm prior to receiving the selection of a destination." The rejection alleges that Miner teach that the electronic assistant notifies the subscriber of the reminder and the subscriber review it or reschedules it before call them. The Applicants respectfully assert that Miner teaches away from the invention as claimed in Claims 1, 8 15 and 21, in that the electronic assistant is not a palmtop computer. The electronic assistant is a computer-implemented entity, such as a server (col. 1, lines 59-60; Figure 2-3). In addition, Miner teach that "if the call reminder identifies a contact the subscriber can use the "Call Them" command at this point. Thus, Miner teaches away in that a call from the user (e.g., subscriber) is made to a contact.

Appl. No. 09/775,321
Amdt. Dated May 20, 2004
Reply to Office Action of February 23, 2004

Miner does not teach or suggest that calls from contacts to the user can be directed by the user to a desired destination location. Furthermore, the rejection fails to show that the prior art provides a suggestion or motivation to combine the teachings of Miner and Schuster.

Accordingly, independent Claims 1, 8, 15 and 21 are patentable over the prior art. Schuster, Minor, or the combination thereof, do not teach or suggest that “the selection of the destination is in response to a receipt of a date book alarm prior to receiving the selection of a destination.” Schuster, Minor, or the combination thereof, also do not teach or suggest that “receiving a selection of a destination for a telephone call to a user during a time duration of the appointment at the palmtop computer” and/or “sending a message from the palmtop computer to a telephone call server instructing the telephone call server to direct telephone calls to the user to the destination between the starting and ending times.”

Claims 2, 3 and 5-7 depend upon Claim 1, Claims 9, 10 and 12-14 depend upon Claim 8, Claims 16 and 18-20 depend upon Claim 15, and Claim 22 depends upon Claim 21 and incorporate all the limitation of the respective independent claim upon which they depend. Thus, Claims 2, 3, 5-7, 9, 10, 12-14, 16, 18-20 and 22 are patentable for the above-advanced reasons. Withdrawal of the rejection of Claims 1-3, 5-10, 12-16 and 18-22 is therefore respectfully requested.

Appl. No. 09/775,321
Amdt. Dated May 20, 2004
Reply to Office Action of February 23, 2004

Conclusion

For all the reasons advanced above, Applicants respectfully submit that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP



Dated: May 20, 2004

Eric J. Gash
Registration No. 46,274
Tel.: (408) 938-9060